

II. Remarks

Claims 1-16 were pending in this application and have been rejected. By this amendment, Applicants have amended claims 1 and 10, and have canceled claims 2 and 15-16. No new matter has been added by the present amendment. If this amendment is entered claims 1 and 3-14 will be pending.

Reconsideration of the application in view of the above amendments and following remarks is respectfully requested.

A. Rejections of Claims 1-16 Under 35 U.S.C. § 112 (2nd paragraph)

Claims 1-16 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant's regard as the invention.

Claim 1

Claim 1 was rejected as being incomplete with respect to the recitation pertaining to the means for securing. The Office Action alleged that a necessary structural cooperative relationship is not present in the claimed invention.

Claim 1 has been amended to provide that "the means for the rotational securing is formed by inner or outer positive fit elements in such a manner that the individual parts can be fitted axially but are secured against rotation relative to one another." Accordingly, the relationship between the positive elements and the means for securing is provided in the present amendment to claim 1. Applicants respectfully request that this rejection be withdrawn.

Claim 10

Claim 10 was rejected in the Office Action as the recitation "spaced apart axially via a cylindrical fluid-sealing section" allegedly rendered the claim indefinite because it was unclear how the depressions are spaced apart "by way of" the fluid sealing section.

Applicants have amended claim 10 to recite that the depressions "are distributed radially over the circumference and are spaced apart axially on the cylindrical fluid-sealing section of the tubular plug-in part." The amendment clarifies that the spacing is occurring on a cylindrical fluid-sealing section of the tubular plug-in part. Applicants respectfully request that this objection be withdrawn.

Claim 16

The Office Action rejected claim 16 as improperly referring to the securing means in the plural sense.

Claim 16 has been canceled. Accordingly, Applicants respectfully request that this objection be withdrawn.

B. Rejection of Claims 1-3 and 5-7, 15 and 16 Under 35 U.S.C. § 103(a) – Ezura and Woodling

Claims 1-3 and 5-7, 15 and 16 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Ezura (U.S. Patent Publication No. 2003/0178846), and in further view of Woodling (U.S. Patent No. 3,649,050). The Office Action stated that Ezura fails to explicitly disclose means for securing against relative rotation are provided between said receiving part and said joining part. The Office Action alleged that Woodling cures the failure of Ezura by allegedly disclosing a tube fitting connection having a means for securing against relative rotation (30) provided between said receiving part (19) and said joining part (11).

Applicants have amended claim 1 by adding the limitations of claims 2 and 16 to define the connection between the receiving part and the joining part as a “snap-action outer positive fit connection” and that the means for rotational securing is secured by inner or outer positive fit elements.

Woodling describes a different kind of a tube fitting connection than the claimed invention, in which a tube is fixed within a connection body by means of a screw nut and a contractile sleeve. The screw nut/contractile sleeve interaction of Woodling would not be considered a inner or outer positive connection as it relies on a cooperation between four separate pieces: the screw nut (14), the threads on the connection body (10), the sleeve (12) and the tube (11). The thread and nut interaction would not be considered by one of skill in the art to be a inner or outer positive fit between the thread and nut or other components of Woodling. Claim 1, however, recites that the insert part is connected to the base part via a snap-action positive fit connection and that the “means for the rotational securing is formed by inner or outer positive fit elements.” Woodling, however, does not provide for a inner or outer positive fit element to secure the sleeve relative to the rotation to the body. Therefore, Woodling does not cure the defect of Ezura. Moreover, if Woodling were combined with Ezura it would result in a

thread and nut being arranged on the tube joint of Ezura. Accordingly, the combination of Woodling and Ezura would not result in the claimed invention. Therefore, claim 1 is not obvious in view of the combination of Ezura and Woodling.

Claims 3, 5-7, and 15 depend from claim 1, and incorporate all of the limitations of claim 1. Accordingly, it must be concluded that claims 3, 5-7 and 15 are also not obvious in view of Ezura and Woodling.

Applicants respectfully request that the rejection of claims 1, 3, 5-7, and 15 over Ezura and Woodling be withdrawn.

C. Rejection of Claim 4 Under 35 U.S.C. § 103(a) – Ezura in view of Woodling and Hosono

Claim 4 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Ezura in view of Woodling as applied to claims 1-3, 5-7, 15, and 16 above, and further in view of Hosono et al (US 6,447,019).

As set forth above, it is the Applicant's position that Ezura and Woodling do not disclose a means for securing against relative rotation formed by an inner or outer positive fit elements. Hosono is cited by the Office Action as allegedly providing a plurality of different configurations of the joining part. The Office Action did not provide that Hosono discloses inner or outer positive fit elements for securing against relative rotation of receiving and joining parts. Accordingly, Hosono does not cure the defect of Ezura and Woodling of failing to provide the elements of means for securing the relative rotation of the parts that is formed by inner or outer positive fit elements.

Accordingly, it must be concluded that claim 4 is not obvious in view of the combination of Ezura, Woodling, and Hosono. Accordingly, Applicants respectfully request that the rejection of claim 4 over the combination of Ezura, Woodling, and Hosono be withdrawn.

D. Rejection of Claims 8-14 Under 35 U.S.C. § 103(a) – Ezura in view of Woodling and Legris

Claims 8-14 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Ezura in view of Woodling as applied to claims 1-3, 5-7, 15 and 16 above, and in further view of Legris (US 4,431,216).

The Office Action stated that Ezura “fail[s] to disclose a leakage path being formed in such a manner that, in a pre-locking position of the plug-in part, which position is locked by the holding element but is not yet sealed via the fluid seal, a physically perceptible leakage path for fluid within the housing part is defined.” The Office Action also stated that the “combination of Ezura and Woodling fails to explicitly disclose a dirt seal on the mouth side” which was allegedly provided by Legris disclosure of a tube fitting having a dirt seal on a mouth side.

As set forth above, it is the Applicant’s position that Ezura and Woodling do not disclose a means for securing against relative rotation formed by inner or outer positive fit elements. Legris is cited by the Office Action as allegedly providing a tube fitting having a dirt seal on a mouth side. The Office Action did not provide that Legris provided inner or outer positive fit elements for securing against relative rotation of receiving and joining parts. Accordingly, Legris does not cure the defect of Ezura and Woodling of failing to provide the elements of means for securing the relative rotation of the parts that is formed by inner or outer positive fit elements. Therefore, it must be concluded that claims 8-14 are not obvious in view of the combination of Ezura, Woodling, and Hosono. Applicants respectfully request that the rejection of claim 4 over the combination of Ezura, Woodling, and Hosono be withdrawn.

In addition with respect to claim 9, the Office action alleged that “the combination of Ezura, Woodling, and Legris discloses all the structural elements of the claimed invention.” The Office Action further stated that “Woodling further discloses a tube fitting connection having the leakage path is formed by depressions (25) which are arranged on the outer circumference of the plug- in part (see figure 2) and, in the pre-locking position, are arranged in two groups (see figure 2).” Applicants disagree with this characterization of Woodling. What the Office Action characterizes in Woodling as depressions are slots (25) as noted in Woodling:

The spring fingers 24 may comprise any number, four being shown in FIG. 3 of the drawings, and are made by providing longitudinally extending slots 25 in the sleeve at annular intervals thereabout. The slots 25 are defined by opposed longitudinally extending side walls which terminate at a place 33 in the central body portion of the sleeve, whereby when the nut 14 is tightened, the spring fingers 24 are flexed radially against the tube. (Woodling, col. 3, lines 7-14; emphasis added).

The slots (25) of Woodling would not be considered to be depressions by one of skill in the art with respect to claim 9 as the longitudinally extending slot (25) of Woodling is a longitudinally extending gap having no top or bottom surface whereas a depression is an indentation in a surface. Therefore, Woodling does not provide for depressions. Ezura or Legris do not cure this defect of Woodling by providing for a depression on the outer circumference of the plug-in part. Accordingly, claim 9, and its claims which depend directly or indirectly from claim 9, i.e., claims 10-14, are not obvious over the combination of Ezura, Woodling, and Legris for these further reasons.

Applicants respectfully request that the rejection of claims 8-14 over Ezura, Woodling, and Legris be withdrawn.

Conclusion

In view of the above amendments and remarks, it is respectfully submitted that the present form of the claims are now in condition for allowance.

Respectfully submitted,

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